

MINUTE ITEM

This Calendar Item No. C2  
was approved as Minute Item  
No. 2 by the State Lands  
Commission by a vote of 3  
to 0 at its 11/26/77 CALENDAR ITEM  
meeting. C2.

7/77  
W 21539  
ACS  
PRC 5337

PUBLIC AGENCY PERMIT

APPLICANT: Newman Drainage District  
c/o Walter McInnis  
P. O. Box 1129  
Tracy, California 95376

AREA, TYPE LAND AND LOCATION:  
A 38' x 82' (0.072 acre) parcel of navigable  
submerged land in the San Joaquin River,  
Stanislaus County.

LAND USE: Construct and maintain a 30" drainage pipe-  
line outfall and rock rip rap bank protection.

TERMS OF PROPOSED LEASE:  
Initial period: 49 years from July 1, 1977.

CONSIDERATION: The public health and safety.

PREREQUISITE TERMS, FEES AND EXPENSES:  
Applicant is permittee of upland.

Processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 & 2.
- B. Administrative Code: Title 2, Div. 3  
Arts. 1, 2, 10 & 11.

OTHER PERTINENT INFORMATION:

1. The annual rental value of the site is estimated to be \$100.
2. A final environmental statement report was prepared by Newman Drainage District, SCH #74121645, pursuant to CEQA and implementing regulations. A Notice of Determination has been received.
3. This project is situated on State land identified as possessing significant environmental values pursuant to Public Resources Code 6370.1, and is classified in a use category, Class B which authorizes Limited Use.

Staff has coordinated this project with those agencies and organizations who nominated

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the site as containing significant environmental values. They have found this project to be compatible with their nomination.

EXHIBITS:     A. Land Description.     B. Location Map.  
              C. Notice of Determination & Environmental  
                  Impact Statement Summary.

IT IS RECOMMENDED THAT THE COMMISSION:

1. DETERMINE THAT AN ENVIRONMENTAL IMPACT STATEMENT HAS BEEN PREPARED FOR THIS PROJECT AND CERTIFIED BY NEWMAN DRAINAGE DISTRICT ON JUNE 24, 1977.
2. CERTIFY THAT THE INFORMATION CONTAINED IN THE ENVIRONMENTAL IMPACT STATEMENT OF NEWMAN DRAINAGE DISTRICT HAS BEEN REVIEWED AND CONSIDERED BY THE COMMISSION.
3. DETERMINE THAT THE PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. FIND THAT GRANTING OF THE PERMIT WILL HAVE NO SIGNIFICANT EFFECT UPON ENVIRONMENTAL CHARACTERISTICS IDENTIFIED PURSUANT TO SECTION 6370.1, OF THE PUBLIC RESOURCES CODE.
5. AUTHORIZE ISSUANCE TO NEWMAN DRAINAGE DISTRICT OF A 49-YEAR PUBLIC AGENCY PERMIT FROM JULY 1, 1977; IN CONSIDERATION OF THE PUBLIC HEALTH AND SAFETY WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST FOR THE CONSTRUCTION AND MAINTENANCE OF A 30" DRAINAGE PIPELINE OUTFALL AND ROCK RIP RAP BANK PROTECTION ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

Attachment: Exhibit "A"

EXHIBIT "A"

W 21539

A parcel of submerged land 82 feet wide in the San Joaquin River approximately 9 miles northerly of Gustine, Stanislaus County, California, lying 41 feet on each side of the following described centerline:

BEGINNING at a point on the right or westerly bank of the San Joaquin River having California Coordinate System Zone 3 coordinates of X=1,861,075.11, Y = 312,963.55, said point bears N 38° 08' 06" E, 107.25 feet from Bench Mark "B-1" established by the U. S. Department of Agriculture and having an elevation of 62.47 feet above sea level, thence from said point of beginning S 75° 41' 47" E, 38.00 feet to the terminous of the herein described centerline.

EXCEPTING THEREFROM any portion lying above the ordinary high water mark of the San Joaquin River.

END OF DESCRIPTION

Prepared *J. J. Kunnecke* Checked *R. N. Hoff*  
Reviewed *J. B. [unclear]* Date *7/5/77*